

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

In Re:

COMPASSIONATE HOMECARE, INC.,

Debtor.

Chapter 7

Case No. 20-40527-EDK

TRUSTEE'S STATUS REPORT AND SUPPLEMENT
(Re: Motion To Extend Claims Bar Date
For Claims And To Establish Procedures
To Solicit Wage Claims)

To the Honorable Elizabeth D. Katz, United States Bankruptcy Court Judge for
the District of Massachusetts:

Anne J. White (the "Trustee"), the duly-appointed and acting Trustee of the
bankruptcy estate (the "Estate") of Compassionate Homecare, Inc. (the "Debtor"), hereby
submits this status report and supplement in light of the Court's anticipated questions
regarding Paragraph 3 of Page 5 of the *Trustee's Motion To Extend Claims Bar Date For*
Claims and To Establish Procedures To Solicit Wage Claims [Doc. No. 69]. The Trustee
represents as follows:

1. On February 10, 2022, the Trustee filed the *Trustee's Motion To Extend*
Claims Bar Date For Claims and To Establish Procedures To Solicit Wage Claims (the
"Motion Regarding Wage Claims").
2. On February 10, 2022, the Trustee served the Motion Regarding Wage
Claims as set forth in Certificate of Service [Doc. 70].
3. On February 18, 2022 the Trustee served the Court's notice of the
objection deadline of February 28, 2022 on all creditors in this case.

4. No creditor and no party has objected to the Motion Regarding Wage Claims.

5. Thankfully, however, the Court scheduled a telephonic hearing for March 9, 2022, to discuss the section of the Trustee's Motion Regarding Wage Claims that seeks authority to require Form W-9s from each wage earner.¹

6. The Trustee is required to file appropriate tax reports regarding each wage payment. The Trustee is now aware, however, that the correct tax form for wage earners is a W-4 Form, not a W-9 Form.²

7. In light of the specialized circumstances set forth in the Trustee's Motion Regarding Wage Claims and the supplemental information contained herein, the Trustee has annexed a modified proposed Order as Exhibit 1 that contains modified proposed Notices as Exhibit A.

WHEREFORE, the Trustee respectfully requests that the Court enter an order:

1. Allowing the *Trustee's Motion To Extend Claims Bar Date For Claims and To Establish Procedures To Solicit Wage Claims* [Doc. No. 69] as modified and supplemented by the information contained herein above;
2. Granting authority to the Trustee as set forth in the proposed form of order attached hereto as Exhibit 1; and
3. Granting the Trustee such other relief as is fair and reasonable.

¹ Paragraph 3 of Page 5 states "Authorizing the Trustee to disallow purported wage claimants that do not timely file a proof of claim with the Court and submit to the Trustee a duly completed W-9 Form."

² Furthermore, the Trustee with the assistance of her accountants will be preparing W-2 forms (not form 1099s) for each wage recipient.

ANNE J. WHITE
CHAPTER 7 TRUSTEE

/s/ Anne J. White

Anne J. White (BBO#524960)

DEMEO LLP

66 Long Wharf

Boston, MA 02110

Tel: (617) 263-2600

Fax: (617) 263-2300

EXHIBIT 1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

In Re:

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Chapter 7

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**ORDER ON TRUSTEE'S MOTION TO EXTEND CLAIMS BAR DATE FOR
CLAIMS AND TO ESTABLISH PROCEDURES TO SOLICIT WAGE CLAIMS**

THIS MATTER, having come before the Court on the *Trustee's Motion To Extend Claims Bar Date For Claims And To Establish Procedures To Solicit Wage Claims* (the "Motion Regarding Wage Claims"), wherein the Chapter 7 Trustee seeks entry of an order (1) extending the claims bar date for wage claimants in order to permit these claimants to file proofs of claim in this case and (2) establishing the procedures for the Trustee to solicit and review priority wage claims in this case, and sufficient notice thereof having been duly given, no objection to the Motion Regarding Wage Claims having been filed, it is hereby ORDERED THAT:

1. The deadline for wage claimants to file proofs of claim in this case is extended to May 25, 2022 or such other date as the Court shall deem appropriate;
2. The Trustee is authorized to solicit wage claims utilizing the form of Notices attached hereto as Exhibit A;
3. The Trustee is authorized to disallow purported wage claimants that do not timely file a proof of claim with the Court and submit to the Trustee a duly completed W-4 Form; and
4. The Trustee is authorized to execute and deliver such documents and

instruments as the Trustee deems necessary and appropriate to effectuate the solicitation and review of wage claims.

SO ORDERED this _____ day of _____, 2022.

Elizabeth D. Katz
United States Bankruptcy Judge

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
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NOTICE TO ALL WAGE CREDITORS

PLEASE BE ADVISED that Anne J. White, the Chapter 7 Trustee in this case (the “Trustee”) plans to make payments to wage claimants in this case.

If you previously worked for Compassionate Homecare, Inc. and you were not paid for your work, the Trustee is now seeking to send you payment.

To be paid, you must file a proof of claim with the United States Bankruptcy Court and submit a Form W-4 to the Trustee by the filing deadline of May __, 2022.

A proof of claim is a signed statement describing a creditor’s claim.

A proof of claim form (Official Form 410) may be obtained at www.uscourts.gov or any bankruptcy clerk's office or printed from the courts website at

www.mab.uscourts.gov/mab/creditorinformation. You may also file your claim electronically through the court's website at www.mab.uscourts.gov.

- If you do not file a proof of claim by the deadline listed, you might not be paid any money on your claim.

• **To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed.**

The proof of claim must be received by the Bankruptcy Court clerk's office no later than 4:30 PM by the deadline of May ____, 2022. The clerk's office address is U.S. Bankruptcy Court, 595 Main Street, Worcester MA 01608 (Contact Phone: 508-770-8900 Monday-Friday 8:30am-5:00pm).

A Form W-4 is a commonly used IRS form that provides the following necessary information: (1) your correct current address for mailing any payment, and (2) your correct taxpayer identification number (TIN) for any required tax reporting. A copy of the Form W-4 is available at www.irs.gov/FormW4. The Trustee is required to keep the Form W-4 information confidential.

The Form W-4 must be received by the Trustee by the deadline of May ____, 2022. The Trustee's address is Anne J. White, Demeo LLP, 66 Long Wharf, Boston, MA 02110 (Contact Phone: 617-263-2600; awhite@demeollp.com).

Copies of both a blank proof of claim form and blank Form W-4 are attached hereto.

Please file your proof of claim and submit your Form W-4 promptly. Contact Trustee, Anne J. White with any questions.

ANNE J. WHITE
CHAPTER 7 TRUSTEE

/s/ Anne J. White
Anne J. White (BBO#524960)
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AVISO A TODOS LOS ACREEDORES DE SALARIO

SE COMUNICA QUE Anne J. White, la Fiduciaria de Capítulo 7 (la “Fiduciaria”), está planeando hacer pagos a las personas que están reclamando sus pagos en este caso.

Si usted trabajó anteriormente para Compassionate Homecare, Inc., y usted no recibió compensación salarial por su trabajo, la Fiduciaria está tratando de enviarle estos pagos.

Para recibir el pago, tienes que presentar 1) prueba del reclamo hecho a la Corte de Bancarrota de Estados Unidos y 2) el formulario W-4 a la Fiduciaria antes de Mayo ____, 2022.

Una forma de prueba de reclamo es la declaración firmada indicando el reclamo del acreedor. El formulario para este reclamo (Formulario 410) se puede conseguir en la página web www.USCOURTS.GOV o en cualquiera de las oficinas de Bancarrota o también se puede imprimir desde la página web de la Corte www.MAB.USCOURTS.GOV/MAB/CREDITORINFORMATION. También puedes hacer su reclamo electrónicamente a través de la página web de la Corte en www.MAB.USCOURTS.GOV.

- Si usted no presente su reclamo antes de la fecha límite, es posible que no recibes ningún dinero por su reclamo.
- **Para que se le pague, usted debe registrar una prueba de reclamo aun cuando el reclamo este listado en el reporte del deudor.**

La Oficina del secretario de la Corte Bancarrota debe recibir la prueba de reclamo a mas tardar a las 4:30 p.m. antes de la fecha limite del ____ de Mayo de 2022. La dirección de la oficina es: U.S. Bankruptcy Court, 595 Main Street, Worcester MA 01608 (508-770-8900 Lunes-Viernes 8:30am-5:00pm).

El Formulario W-4 es un formulario del IRS muy usado que provee la siguiente información: (1) su dirección actual correcta para envío de cualquier pago, y (2) su número de identificación del contribuyente correcto (TIN) para para cualquier declaración de impuestos requerida. El formulario W-4 lo puede conseguir en www.IRS.GOV/FORMW4. La Fiduciaria deberá de mantener esta información de manera confidencial.

La Fiduciaria debe recibir el Formulario W-4 antes de la fecha límite de Mayo ____, 2022. La dirección de la Fiduciaria es Anne J. White, Demeo LLP, 66 Long Wharf, Boston MA 02110 (617-263-2600; awhite@DemeoLLP.com).

Aquí se adjunta copias en blanco de la prueba de reclamo, así como del Formulario W-0.

Por favor presente su prueba de reclamo y envíe su formulario W-4 con anticipación. Comuníquese con Anne J. White si tienes alguna pregunta.

ANNE J. WHITE
FIDUCIARIA DE CAPITULO 7

/s/ Anne J. White

Anne J. White (BBO#524960)

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CERTIFICATE OF SERVICE

I, Anne J. White, hereby certify that, on the 3rd day of March 2022, I caused to be served a copy of the foregoing *Trustee's Status Report and Supplement (Re: Trustee's Motion To Extend Claims Bar Date For Claims And To Establish Procedures To Solicit Wage Claims* to all appearing on the attached Service List via first-class mail, postage prepaid, unless electronically served by the Court as indicated thereon.

/s/ Anne J. White

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